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**THE CITY OF NEW YORK**  
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December 21, 2007

**BY ECF**

Honorable Naomi R. Buchwald  
United States District Judge  
United States Courthouse  
500 Pearl Street, Room 2270  
New York, New York 10007

Re: Tucker v. City of New York et al.  
07 Civ. 10367 (NRB) (JCF)

Dear Judge Buchwald:

I am an Assistant Corporation Counsel in the office of Michael A. Cardozo, Corporation Counsel for the City of New York, assigned to represent defendants the City of New York and the New York City Department of Health and Mental Hygiene ("City Defendants") and write to respectfully request an extension of the time to respond to the complaint filed in the above-referenced action. Plaintiff served the City Defendants with a summons and complaint on December 5, 2007 and their response is due on or before December 26, 2007. Walker G. Harman, plaintiff's counsel, has consented to City Defendants' request for an extension of time. This is City Defendants' first request for an extension of time.

With respect to service of the individual defendants Dr. Robert Hoffman, Maria Zampella and Commissioner Thomas Frieden, Mr. Harman has advised me that he has not served them but intends to do so shortly. Once they have been served, this office will determine pursuant to General Municipal Law 50-k whether or not this office can represent them.

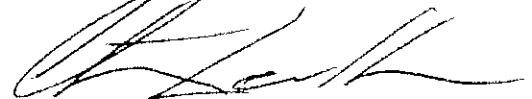
In order to respond to the complaint on behalf of the City Defendants, which must be grounded in knowledge, information and belief formed after reasonable inquiry, as required by Rule 11 of the Federal Rules of Civil Procedure, I must identify, locate and interview those persons with knowledge of the allegations set forth in the complaint. In addition, I must identify, locate and review any documents relevant to plaintiff's claims. An extension of time will provide us with sufficient time to investigate Plaintiff's allegations and to review documents that might be relevant to this action. In addition, once the individual defendants are served, the

additional time will allow this office to determine whether or not the individual defendants will be represented by this office.

For the foregoing reasons, City Defendants respectfully request an extension of time to January 25, 2008 to respond to the complaint to fulfill their obligations and to respond meaningfully to the allegations asserted against them.

Thank you for your consideration of this request.

Respectfully yours,

A handwritten signature in black ink, appearing to read 'C. Heer', with a stylized flourish at the end.

Christopher L. Heer (CH 1086)  
Assistant Corporation Counsel

cc: **By ECF**  
Walker G. Harman, Esq.  
1350 Broadway, Suite 1510  
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